

Kerala Gazette No. 40 dated 13th October 2009.

PART I



GOVERNMENT OF KERALA

Local Self Government Department

NOTIFICATION

No. G. O. (Ms.)181/2009/LSGD. *Dated, Thiruvananthapuram, 19th September 2009.*

WHEREAS, the Government have in G. O. (Ms.) No. 19/1998/LAD dated 22nd January, 1998 and published as S. R. O. No. 330/98 in the Kerala Gazette Extra ordinary No. 605 dated 20th April, 1998 sanctioned the Development Plan for Medical College area, Kottayam under sub-section (3) of section 12 of the Town Planning Act 1108 (IV of 1108);”

AND WHEREAS, it is required to vary the said development plan for the purpose of making the zoning regulations compatible to the present development scenario to the extent possible as an immediate measure, until the development plan is further varied after detailed studies.

Now, THEREFORE, in exercise of powers conferred by sub-section (2) of section 13 of the Town Planning Act 1108, (IV of 1108), the Government of Kerala hereby propose to issue a notification varying the said development plan to the extent required, a draft of which is appended as required under sub-rule (i) of rule 71 of the Town Planning Rules, 1113 ME.

Notice is hereby given that the said draft will be taken up for consideration within sixty days from the date of publication and any person interested in the development plan may submit in writing his objections and suggestions, if any, thereon within the said date. Any person concerned with or affected by the proposed notification shall submit his objection of suggestion, if any, in writing to the Town planner, Kottayam (on behalf of Secretary to Government, Local Self Government Department).

AMENDMENT

In exercise of the powers conferred by sub-section (1) of section 13 of the Town Planning Act 1108 (IV of 1108), the Government of Kerala hereby vary the Development plan for Medical College area, Kottayam sanctioned under sub-section (3) of section 12 of the said Act and notification issued under G. O. (Ms.) No. 19/1998/LAD dated 22nd January 1998 and published as S. R. O. No. 330/1998 in the Kerala Gazette Extra ordinary No. 605 dated 20th April, 1998 to the extent as indicated below:—

G. 645/2009/DTP.

In the said development plan,

(i) For the heading “ZONING REGULATIONS” and the entries there under the following shall be substituted, namely:—

“ZONING REGULATIONS

- 1.0 All future developments shall be in conformity with provisions of the Development Plan. All future constructions within the planning area boundary prescribed in the Development Plan shall also conform to Kerala Municipality Building Rules in force.
- 2.0 For the implementation and enforcement of the proposals, envisaged in the Development Plan for the Area, areas have been zoned under various uses such as Residential, Commercial, Residential Mixed, Medical College Campus Area, Public and Semi-public zone other than Medical College Campus Area, Low lying zone, Small Industrial zone, Transportation zone and Water body. Details regarding the nature of uses “Permitted” uses “Restricted” and uses “Prohibited” in each zone are given in the accompanying sheets.
- 3.0 Uses “Permitted” in a zone cover the uses that can be normally accommodated in the relevant zone. In some cases it may be possible to permit some other uses also which are not likely to affect the quality and environment in a zone specified for the particular use. Such cases have to be individually studied based on the performance characteristics and special locational factors. Such cases which come under this category are classified as “Uses Restricted”. “Uses Prohibited” enlists the various objectionable uses in each zone, which shall not be permitted under normal circumstances.
- 4.0 Zoning regulations are not intended to prohibit existing uses that have been lawfully established prior to the enforcement of these regulations. They are essentially intended to help the competent authority in decisions regarding granting or refusal of planning permissions for land use conversions and construction of buildings/structures or any other matter specifically mentioned in these regulations.
- 5.0 Existing religious uses, areas, and structures of archaeological importance and agricultural uses may be permitted to continue in all zones.

<i>Zone</i>	<i>Uses permitted</i>	<i>Uses restricted</i>	<i>Uses prohibited</i>	<i>Remarks</i>
(1)	(2)	(3)	(4)	(5)
6.0	RESIDENTIAL ZONE			
6.1	All Residences, orphanages/old age homes/dharmasala, ashram/mutts, professional offices and studios of the residents, shops/commercial offices with total floor area limited to 100sq.m in an individual plot, day care & creches, nursery/ kindergarten/primary schools, library and reading rooms, social welfare centres with total floor area up to 100 sq.m. clinics(out patient), community halls, clubs, parks and playgrounds incidental to the residential uses, fire stations, public utility buildings such as water supply, drainage and electric installations of a minor nature and small service industries of a non-nuisance nature (Annexure V) engaging not more than 3 workers with power limited to 3 HP or 6 workers without power.	6.2 (i) Hostels, boarding houses, rest houses, educational institutions up to higher secondary level, lodges, buildings for religious uses, Dispensaries, printing press, local/state/central/public sector offices, service industries of a non-nuisance nature (Annexure V) engaging not more than 10 workers with power limited to 10 HP or 20 workers without power, Transmission towers and wireless stations, parking plaza, taxi/jeep/auto rickshaw stand and smokehouse attached to a residential building.	6.3 All other uses not mentioned in permitted uses (as per 6.1) and restricted uses (as per 6.2) above	Usage of items to be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning service having jurisdiction over the area.

3

(1)	(2)	(3)	(4)	(5)
		(ii) Other educational and research institutions, fuel filling stations, small auto garages engaging not more than 5 workers.		Usage of items to be restricted by the executive authority with the concurrence of the Chief Town Planner to Government.

7.0 COMMERCIAL ZONE

7.1	Retail and wholesale shops, godowns and ware houses, professional offices, commercial offices, clinics (OP), diagnostic centres, Local/State /Central Government of public sector offices, social and cultural establishments, auditorium/wedding halls, theatres, cinemas, hostels, hotels, lodging houses, restaurants, parking plazas/taxi/ auto rickshaw stand, bus stands, parks and open spaces, service industries of a non-nuisance nature (Annexure V) engaging not more than 10 workers with power limited to 10 HP or 20 workers without	7.2 (i) Fuel filling stations, residences, ashram/mutts, and stacking yards.	7.3 All other uses not mentioned in permitted uses (as per 7.1) and restricted uses (as per 7.2) above	Uses of items to be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning service having jurisdiction over the area.
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4

power, printing presses, existing residential uses, residential buildings total floor area upto 300 sq.m., public utility areas and buildings, transmission towers and wireless stations and all existing uses that are permitted in public and semi public use zone.

(ii) Industrial uses of non-nuisance character (Annexure V) employing not more than 20 workers and not exceeding 30 H.P., areas and buildings for religious uses.

7.3 All other uses not mentioned in permitted uses (as per 7.1) and restricted uses (as per 7.2) above

Usage of items to be restricted by the executive authority with the concurrence of the Chief Town Planner to Government.

8.0 MEDICAL COLLEGE CAMPUS AREA

All developments that form an integral part of the Medical College Campus Development.

9.0 PUBLIC AND SEMI PUBLIC ZONE OTHER THAN

MEDICAL COLLEGE CAMPUS AREA

5

9.1 Local/State/Central Government and public Sector offices, social and cultural establishments, community halls, religious buildings, educational institutions, hospitals, clinics and diagnostic centres, public utility areas and related buildings existing commercial and residential buildings, cinema houses, transmitting and wireless stations and residential/ other uses incidental to uses permitted.

9.2 Fuel filling stations, transport terminals, cremation grounds/ burial grounds and related constructions.

9.3 All other uses not mentioned in permitted uses (as per 9.1) and restricted uses (as per 9.2)

Usage of items to be restricted by the executive authority with the concurrence of the Chief Town Planner to Government.

(1)	(2)	(3)	(4)	(5)
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10.0 LOW LYING ZONE

10.1 Agriculture and Horticulture, fish farms, seed farms, pump houses, wells and irrigation ponds, storage of agricultural produces and seeds.

Constructions permissible under the Kerala Paddy land and Wet land Conservation Act 2008 are also permitted observing the provisions of the said act.

10.2 (i) Public utility areas and buildings of a minor nature, Transmission towers and Wireless stations.

10.3 All other uses not mentioned in permitted uses (as per 10.1) and restricted uses (as per 10.2)

Usage of items to be restricted by the executive authority with concurrence of the Town Planner of the State Town Planning Service having jurisdiction over the area.

(ii) Milk processing plants, storage and processing of farm products, service and repair of farm machinery, burial grounds and cremation grounds and religious uses.

Usage of items to be restricted by the executive authority with the concurrence of the Chief Town Planner to Government.

5

11.0 RESIDENTIAL MIXED ZONE

11.1 All uses under permitted and restricted (i) categories in Residential Use Zone and uses permitted in the Commercial Use Zone.

11.2 (i) Higher order educational and research institutions, fuel filling stations, small auto garages engaging not more than 5 workers and areas or buildings for religious uses.

11.3 All other uses not mentioned in permitted uses (as per 11.1) and restricted uses (as per 11.2) above

Usage of items to be restricted by the executive authority with the concurrence of the Chief Town Planner to Government.

12.0 SMALL INDUSTRIAL ZONE

12.1 Cottage Industries, Automobile workshops and Automobile Service Stations, Saw Mills, Industries of non-nuisance nature (See Annexure V), Printing Press, Marble and Granite Storage/Cutting centres, Shops/professional offices/banking and financial offices/restaurants upto 100 sqm. IT Software units, hotels, godowns/warehouse/storage of non hazardous materials, stacking yards, automobile showrooms, weigh bridge. Residences floor area upto 300sqm., day care and creche, social welfare centres, residential uses incidental to industrial uses, hostels and boarding houses. Public utility areas and buildings transmission towers and wireless stations, clinics (out Patient) parks & play grounds.	12.2 (i) Govt. or Public sector offices, educational institutions upto higher secondary level, lodges	12.3 All other uses not mentioned in permitted uses (as per 12.1) and restricted uses (as per 12.2) above	Usage of items to be restricted by the executive authority with the concurrence of the Town Planner of the State Town planning service having jurisdiction over the area.
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7

(1)	(2)	(3)	(4)	(5)
		(ii) Areas and building for religious uses, Fuel filling stations, Cremation Ground/ Crematorium, Burial Ground/Common Vault, Slaughter Houses, minor storage of explosive and fire works, gas godowns, dumping yards, sewage treatment plants.		Usage of items to be restricted by the executive authority with the concurrence of the Chief Town Planner to Government.
13.00 TRANSPORTATION ZONE				
13.1 Transport terminals such as bus terminals/autorickshaw stand/taxi stand/jeep stand and essential incidental uses connected with main uses, parking plaza, public utility buildings of minor nature.			13.2 All other uses not mentioned in permitted uses (as per 13.1)	
14.00 WATER BODIES				
14.1 The existing water bodies shall be retained as such water landings, pump houses are permitted uses.			14.2 All other uses not mentioned in permitted uses (as per 14.1)	

8

15. General Provisions

The zoning regulations as per paragraph 6 to 14 shall be subject to the additional provisions or modifications contained in paragraph 15.1 to 15.4.

- 15.1 Subject to zoning regulations of the respective use zones, more than one uses may be combined in a building, provided that the total floor area of such a building shall not exceed the maximum floor area permitted for any of such use premises in that use zone.
- 15.2 For the purpose of these regulations, floor area means the total floor area of the building on all floors.
- 15.3 In land, to a depth of 50 metres on either side from the central line of roads having an existing or proposed width of 7 meters or more in residential zone is deemed to be under Residential Mixed Zone.
- 15.4 Regulation of constructions on the sides of new roads/roads proposed for widening as per the scheme shall be governed by the distance from the centre line of the road, unless otherwise specified in any Detailed Town Planning Schemes or any detailed road alignments approved by the Chief Town Planner.

(ii) After ANNEXURE -4, following annexure shall be added as ANNEXURE-V,—

“ANNEXURE-V

Type of non-obnoxious and non-nuisance type of service or light industries vide regulations 6.1, 6.2, 7.1, 12.1 etc.

1. Apparel making.
2. Assembly of air coolers, conditioners.
3. Assembly of bicycles, baby carriage and other small non-motorised vehicles.
4. Atta-chakkies.
5. Bakery products, biscuit confectionery.
6. Bamboo and cane products (only dry operations).
7. Block making for printing.
8. Cardboard or corrugated box and paper products (Paper or pulp manufacturing excluded).

9. Carpet weaving.
10. Chilling plants and cold storage.
11. Cotton and woolen hosiery.
12. Electronic equipment, electrical goods.
13. Fountain pens.
14. Garments stitching, tailoring.
15. Gold and Silver smithy.
16. Gold and Silver thread sari works.
17. Ground nut decorticating (Dry).
18. Ice-cream or Ice-making.
19. Insulation and other coated papers (Paper or pulp Manufacturing excluded).
20. Jobbing and machining.
21. Leather footwear and leather products excluding tanning and hide processing.
22. Light Engineering.
23. Manufacture of formulated synthetic detergent products.
24. Manufacture of soaps involving process without generation of trade effluent (saponification of fats and fatty acids only).
25. Medical and surgical instruments.
26. Mineralised water.
27. Musical instruments manufacturing.
28. Oil ginning/expelling (no hydrogenation/refining).
29. Optical-frames.
30. Paint (by mixing process only).
31. Paper pins and U-clips.
32. Plastic and P. V. C. Processed goods.
33. Power looms/handlooms (without dyeing and bleaching).
34. Printing Press.
35. Radio assembling.
36. Rice mullors.

37. Rope (cotton and plastic).
38. Rubber goods industry
39. Scientific and mathematical instruments.
40. Shoelace manufacturing.
41. Sports goods.
42. Steeping and processing of grains.
43. Thermometer making.
44. Toys Making.
45. Spice grinding operation.
46. Polythene, plastic and P. V. C. goods through injection/extrusion moulding.
47. Furniture without machinery.
48. Electro plating.
49. Gold and silver smithing.
50. Rubber goods industry (Micro and Tiny units only).”

By order of the Governor,

S. M. VIJAYANAND,

Principal Secretary to Government.